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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 vs.
15 MIGUEL MACIAS,
16 Defendant.

CASE NO: 2:11-CR-388-KJD-CWH

**UNOPPOSED MOTION TO CONDUCT A
PRE-PELA PRESENTENCING
INVESTIGATION REPORT AND
PROPOSED ORDER**

17 COMES NOW, appointed counsel, JAMES A. ORONOV, ESQ., and hereby moves this
18 Court request a Pre-Plea Pre-Sentence Investigation Report be prepared by the Probation
19 Department.

20 1. The defendant is subject to a ten-year mandatory minimum. The defendant
21 believes he has zero (0) criminal history points and may be safety valve eligible. Whether he is
22 safety valve eligible will drastically impact his sentencing exposure, negotiations, and client's
23 decision as to how he should proceed. A pre-plea presentence investigation report will promote
24 judicial economy and aid in the manner in which this case is untimely resolved.

25 2. Undersigned counsel therefore respectfully request an order that the Department
26 of Probation conduct a pre-plea presentence investigation report as soon as possible.

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3. Undersigned counsel has spoken to the prosecutor, Assistant United States Attorney Andrew Duncan regarding this request and he has no opposition.

DATED this 8th day of March, 2012.

/s/ James A. Oronoz
JAMES A. ORONoz, Esq.
700 South 3rd Street
Las Vegas, NV 89101
Counsel for Miguel Macias

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CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that I am an employee of the Oronoz Law Offices and is a person of such age and discretion as to be competent to serve papers.

That on March 8th, 2012, I served an electronic copy of the above and foregoing UNOPPOSED MOTION TO CONDUCT A PRE-PLEA PRESENTENCING INVESTIGATION REPORT AND PROPOSED ORDER by electronic service (ECF) to the person(s) named below:

DANIEL G. BOGDEN
United States Attorney
333 Las Vegas Blvd. South, #5000
Las Vegas, NV 89101
Counsel for United States

ANDREW DUNCAN
Assistant United States Attorney
333 Las Vegas Blvd. South, #5000
Las Vegas, NV 89101
Counsel for United States

/s/ Lucas Gaffney, Esq.
Employee of the Oronoz Law Offices